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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/272,467 03/19/99 KOJIMA

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000530 QM32/0619
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EXAMINER

JONES, S

ART UNIT

PAPER NUMBER

3713
DATE MAILED:

06/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/272,467	Applicant(s) KOJIMA, HIDEO	
	Examiner Scott E. Jones	Art Unit 3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2001.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on 05 April 2001 is: a) ☒ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on April 5, 2001 in which the applicant submits changes to correct minor problems with the drawings, amends claims, and responds to the claim rejections.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1, 9, 19-20, 32, and 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Goden et al. Goden et al. (U.S. Patent # 5,830,066) discloses an image processing method executed by a computer (video game) that detects the display position and motion of a character controlled by a player via inputs from a joystick and push buttons on the display unit, and based on the detected display position and motion provides one or more of several display images to be displayed on the display unit according to claim 1 and figures 1 and 2. Figures 5(a) through 5(f) show scene images from a character's perspective, a bird's eye view, bird's eye view and motion of character (radar), and a radar image. In figure 2, Goden et al. also teaches of computer hardware consisting of RAM and ROM that stores the image element data required to produce scene and character images in three dimensional computer graphics. Additionally, Goden et al.

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discloses in figure 2 that the invention also comprises a sound system controlled by the game computer.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 11, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goden et al. Goden et al. (U.S. Patent # 5,830,066) teaches that as discussed above with respect to claims 1, 9, 19-20, 32, and 39. The patent to Goden et al. meets all of the applicant's claimed subject matter with the exception of the processing method wherein a movement command is accepted when producing a bird's eye view and intrude mode scene image, while the movement command is unacceptable when producing a scene image from the character's view point. Goden et al. discloses that a joystick and three pushbuttons are provided in the video game operating panel such that a player can manipulate a character. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to only accept a movement command in views that show the character and its surroundings giving the player a better opportunity to guide his/her character around upcoming obstacles. A movement command in the bird's eye view would be impractical if the view point is away from the character, that is, the view point is in the air and turned 180 degrees away from the character.

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6. Claims 3-5, 12-13, 15, 35, and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goden et al. in view of Rieder. Goden et al. (U.S. Patent # 5,830,066) teaches that as discussed above with respect to claims 1, 9, 19-20, 32, and 39. The patent to Goden et al. meets all of the applicant's claimed subject matter with the exception of the processing method wherein a character is detected behind a wall and can not be seen, a scene image is then produced objectively viewing the character. The patent to Rieder (U.S. Patent # 5,769,718) discloses in the abstract a processing method that detects a character behind a wall and produces an image such that the wall is transparent, thereby displaying all objects behind the wall, in addition to the image produced from the player's point of view. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to modify Goden et al.'s game device to display objects located behind walls or obstacles along the road before they dash out as impediments for a player to maneuver a vehicle around making a game more fun and challenging.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goden et al. in view of Rieder as applied to claims 3-5, 12-13, 15, 35, and 37-38 listed above in further view of Mukojima et al. Goden et al. in view of Rieder teaches that as discussed above with respect to claims 3-5, 12-13, 15, 35, and 37-38. Goden et al. in view of Rieder does not explicitly disclose that different sound effects are produced depending on the viewpoint displayed on the display unit. The patent to Mukojima et al. (U.S. Patent # 5,768,393) discloses a processing method that contains a sound source processor unit that controls sound to be generated according to the position and direction of an object according to claim 1. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to provide sound effects

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in the game device of Goden et al. in view of Rieder resembling gun fire when ambushed by an enemy from the side of the road as shown in figure 20(b) to make a game more intense and real for the player.

8. Claims 6-7, 16-17, 34 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goden et al. in view of Logg. Goden et al. (U.S. Patent # 5,830,066) teaches that as discussed above with respect to claims 1, 9, 19-20, 32, and 39. The patent to Goden et al. meets all of the applicant's claimed subject matter with respect to claims 6 and 16 with the exception of the processing method wherein a radar image produced shows the field of vision of the character and enemy. Logg (U.S. Patent # 5,616,031) does have a radar image (figure 4), but remains silent to the field of vision feature that enables a player's character to see an enemies field of vision, in addition to his own, on the radar image displayed on the display unit. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to modify Goden's game device to display a radar image such that the field of vision was in the direction of movement towards an enemy in the same line of sight as the "locking on" mechanism described in Logg to make a game easier to play.

The patent to Goden et al. meets all of the applicant's claimed subject matter with respect to claims 7, 17, and 40 with the exception of the processing method wherein a radar image changes color when a character gets in the player's field of vision. The patent to Logg (U.S. Patent # 5,616,031) discloses, in column 11, lines 13-15, an image processing method that produces and displays an image on the display unit of a target reticle for "locking on" to airborne targets that changes from red to white when a target is locked on to get the player's attention. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's

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invention, to provide a radar image that changed colors when an opposing vehicle target was within striking distance to get a player's attention to "lock on" and destroy an enemy target in the Goden et al. game.

The patent to Goden et al. meets all of the applicant's claimed subject matter with respect to claim 34 with the exception that the change in viewpoints interchangeably between a character's perspective and a bird's eye view perspective are user selectable via an external command. Column 3, lines 5-21 in the patent to Logg discloses user selectable viewpoints. It is widely known in driving games that a player can switch between a bird's eye view and a character's perspective view by manipulating a joystick and push buttons. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention was made, to modify Goden et al.'s game to accept player's inputs from a joystick and push buttons to interchange between a player's perspective and a bird's eye view to give a player an opportunity to see the road and it's surroundings from a different viewpoint.

9. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goden et al. in view of Logg as applied to claims 6-7, 16-17, 34 and 40 listed above and in further view of Mukojima et al. Goden et al. in view of Logg teaches that as discussed above with respect to claims 6-7, 16-17, 34 and 40. Goden et al. in view of Logg does not explicitly disclose that different sound effects are produced depending on the viewpoint displayed on the display unit. The patent to Mukojima et al. (U.S. Patent # 5,768,393) discloses a processing method that contains a sound source processor unit that controls sound to be generated according to the position and direction of an object according to claim 1. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to provide sound effects

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in the game device of Goden et al. in view of Logg resembling gun fire when ambushed by an enemy from the side of the road as shown in figure 20(b) to make a game more intense and real for the player.

10. Claim 8, 18, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goden et al. in view of "Corpse Killer" (Video Game by 3DO). Goden et al. (U.S. Patent # 5,830,066) teaches that as discussed above with respect to claims 1, 9, 19-20, 32, and 39. The patent to Goden et al. meets all of the applicant's claimed subject matter with the exception of the processing method wherein a character can selectively choose and use any one item displayed on the display unit and scrolled in sequence. The video game, "Corpse Killer," teaches of a 3DO hand controller that allows a player to scroll through a menu on the bottom of the display unit and change the type of ammunition that the main characters are utilizing to kill the corpses by pressing the "B" button repeatedly. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to modify the game device of Goden et al, to utilize the push buttons on the video game control panel, to scroll through a variety of weapons in sequence, to choose to defend a character upon an ambush by an enemy while driving along the side of the road.

11. Claims 10, 21-22, 30-31, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goden et al. in view of Mukojima et al. Goden et al. (U.S. Patent # 5,830,066) teaches that as previously discussed above with respect to claims 1, 9, 19-20, 32, and 39. Goden et al., with respect to claims 10, 21 and 33, does not explicitly disclose that different sound effects are produced depending on the viewpoint displayed on the display unit. Additionally, Goden et al. does not explicitly disclose that different sound effects are produced depending on

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the motion and position of the character nor does he explicitly disclose that different sound effects are produced depending on the scene image displayed on the display unit. The patent to Mukojima et al. (U.S. Patent # 5,768,393) discloses, in claim 1, a processing method that contains a sound source processor unit that controls sound to be generated according to the position and direction of an object. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to provide sound effects in the game device of Goden et al. resembling gun fire when ambushed by an enemy from the side of the road as shown in figure 20(b), to make a game more intense and real for the player.

The patent to Goden et al. meets all of the applicant's claimed subject matter with respect to claim 22 with the exception of the processing method wherein a movement command is accepted when producing a bird's eye view and intrude mode scene image, while the movement command is unacceptable when producing a scene image from the character's view point. Goden et al. discloses that a joystick and three pushbuttons are provided in the video game operating panel such that a player can manipulate a character. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to only accept a movement command in views that show the character and its surroundings giving the player a better opportunity to guide his/her character around upcoming obstacles. A movement command in the bird's eye view would be impractical if the view point is away from the character, that is, the view point is in the air and turned 180 degrees away from the character.

Regarding claims 30-31, Goden et al. already teaches of computer hardware consisting of RAM and ROM that stores the image element data required to produce scene and character images in three dimensional computer graphics.

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12. Claims 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goden et al. in view of Mukojima et al. as applied to claims 10, 21-22, 30-31, and 33 listed above and in further view of Rieder. Goden et al. in view of Mukojima et al. teaches that as discussed above with respect to claims 10, 21-22, 30-31, and 33. Goden et al. in view of Mukojima et al. meets all of the applicant's claimed subject matter with the exception of the processing method wherein a character is detected behind a wall and can not be seen, a scene image is then produced objectively viewing the character. The patent to Rieder (U.S. Patent # 5,769,718) discloses in the abstract a processing method that detects a character behind a wall and produces an image such that the wall is transparent, thereby displaying all objects behind the wall, in addition to the image produced from the player's point of view. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to modify Goden et al's game device to display objects located behind walls or obstacles along the road before they dash out as impediments for a player to maneuver a vehicle around making a game more fun and challenging.

13. Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goden et al. in view of Mukojima et al. as applied to claims 10, 21-22, 30-31, and 33 listed above and in further view of Logg. Goden et al. in view of Mukojima et al. teaches that as discussed above with respect to claims 10, 21-22, 30-31, and 33. The patent to Goden et al. in view of Mukojima et al. meets all of the applicant's claimed subject matter with respect to claim 26 with the exception of the processing method wherein a radar image produced shows the field of vision of the character and enemy. Logg (U.S. Patent # 5,616,031) does have a radar image (figure 4), but remains silent to the field of vision feature that enables a player's character to see an enemies

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field of vision, in addition to his own, on the radar image displayed on the display unit. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to modify Goden's game device to display a radar image such that the field of vision was in the direction of movement towards an enemy in the same line of sight as the "locking on" mechanism described in Logg to make a game easier to play.

Regarding claim 27, the patent to Goden et al. in view of Mukojima et al. meets all of the applicant's claimed subject matter with the exception of the processing method wherein a radar image changes color when a character gets in the player's field of vision. The patent to Logg (U.S. Patent # 5,616,031) discloses, in column 11, lines 13-15, an image processing method that produces and displays an image on the display unit of a target reticle for "locking on" to airborne targets that changes from red to white when a target is locked on to get the player's attention. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to provide a radar image that changed colors when an opposing vehicle target was within striking distance to get a player's attention to "lock on" and destroy an enemy target in the Goden et al. game.

Regarding claim 28, the patent to Goden et al. in view of Mukojima et al. meets all of the applicant's claimed subject matter with the exception of the processing method wherein different sound effects are produced depending on what scene image is displayed. The patent to Mukojima et al. (U.S. Patent # 5,768,393) discloses a processing method that contains a sound source processor unit that controls sound to be generated according to the position and direction of an object. It would have been obvious to one having ordinary skill in the art, at the time of the

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application, to generate a gradually louder sound as an opposing vehicle drove toward an opposing character to make a game seem more realistic.

14. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goden et al. in view of Mukojima et al. as applied to claims 10, 21-22, 30-31, and 33 listed above and in further view of "Corpse Killer" (Video Game by 3DO). Goden et al. in view of Mukojima et al. teaches that as discussed above with respect to claims 10, 21-22, 30-31, and 33. The patent to Goden et al. in view of Mukojima et al. meets all of the applicant's claimed subject matter with the exception of the processing method wherein a character can selectively choose and use any one item displayed on the display unit and scrolled in sequence. The video game, "Corpse Killer," teaches of a 3DO hand controller that allows a player to scroll through a menu on the bottom of the display unit and change the type of ammunition that the main characters are utilizing to kill the corpses by pressing the "B" button repeatedly. It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to modify the game device of Goden et al, to utilize the push buttons on the video game control panel, to scroll through a variety of weapons in sequence, to choose to defend a character upon an ambush by an enemy while driving along the side of the road.

Response to Arguments

15. Applicant's arguments filed April 5, 2001 have been fully considered but they are not persuasive.

16. Applicant traverses the 102 (e) rejection to independent claim 1. Applicant states claim 1 includes the limitation of selectively producing one of a first scene image and a second scene image based on the detected display position and motion of the character. The first scene image

is objectively viewing the motion of the character and the second scene image is objectively viewing the motion of the character. Applicant alleges this feature of the Applicant's claim is not disclosed in Goden et al.

Applicant notes the examiner makes reference to Figs. 5 (a)-5(f) of Goden et al. in the Office Action which allegedly show various scene images from a character's perspective, Birdseye View, a radar image, etc. However, Applicant purports the sequence of illustrations in Figs. 5(a)-5(f) are only a panning sequence and are not individual scenes which are selectively produced based on the detected display position and motion of the character.

More specifically, with reference to col. 11, line 48 to col. 14, line 49, Goden et al. allegedly teaches that the camera viewpoint coordinates 1 to 6 as shown in Fig. 4 are prestored in ROM 102 and read out in turn for corresponding image processing of display data. This viewpoint movement control is automatically executed when it is determined that game processing is finished and one stage has been completed, see col. 12, lines 36-39. Accordingly, Goden et al. allegedly teaches away from Applicant's claimed invention. In this regard, Goden et al. allegedly neither teaches nor suggests anything about selectively producing one of a subjective scene image and an objective scene image based on the detected display position and motion of a character as set forth in Applicant's claim 1. Accordingly, Applicant alleges the Examiner's rejection is considered traversed and should therefore be withdrawn.

As to Applicant's remaining independent claims 9, 21, and 32, Applicant alleges these claims are similarly patentable over the Examiner's citation to Goden et al. for those reasons advanced with respect to claim 1. Here again, Applicant alleges Goden et al. discloses only a panning sequence and not individual scenes which are selectively produced based on the

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detected display position and motion of the character. Accordingly, Applicant alleges the Examiner's rejection of claims 9, 21, and 32 is also considered traversed and should therefore be withdrawn.

Further with respect to independent claim 21, there is further included a sound effect producing section which produces a sound effect corresponding to the position and motion of the character. The Examiner acknowledges that Goden et al. does not explicitly disclose that different sound effects are produced depending on the viewpoint displayed on the display unit. Also, Goden et al. does not explicitly disclose that different sound effects are produced depending on the motion and position of the character, nor does Goden et al. explicitly disclose different sound effects are produced depending on the scene image displayed on the display unit. To this end, the Examiner refers to Mukojima et al. for disclosing these features which are combinable with Goden et al. to render Applicant's claimed invention obvious.

First, without more, Applicant alleges claim 21 is patentable over the combination of Goden et al. and Mukojima et al. for those reasons noted hereinabove. However, Applicant alleges the three dimensional sound system disclosed in Mukojima et al. is arranged to control sound to be generated from a virtual sound source, i.e., each of polygons forming an object, according to a position and direction of the polygon when the object is viewed from a viewpoint. Accordingly, Applicant alleges the suggested combination of Goden et al. and Mukojima et al. fails to disclose producing different sound effects depending on which of the subjective and objective scene images is displayed as set forth in claim 21. Accordingly, Applicant alleges the Examiner's rejection is considered traversed and should therefore be withdrawn.

In considering Applicant's within response, Applicant alleges the dependent claims as being allowable by virtue of their ultimate dependency upon purportedly submitted allowable independent claims. Although Applicant has not separately argued the patentability of each of the dependent claims, Applicant's failure to do so is not to be taken as an admission that the features of the dependent claims are not themselves separably patentable over the prior art cited by the Examiner.

Applicant alleges all issues raised by the Examiner have now been overcome, therefore, a Notice of Allowance is respectfully requested.

17. In response to Applicant's argument that Goden et al. does not include the limitation of selectively producing one of a first scene image and a second scene image based on the detected display position and motion of the character. The first scene image is objectively viewing the motion of the character and the second scene image is objectively viewing the motion of the character. The first scene image can be subjectively viewed by the character in any one of Figs. 5(a)-5(e). The second scene image can objectively view the motion of the character in any one of Figs. 5(b)-5(f). Figure 5(f) shows an objective view of the motion of a character on a map.

In rebuttal to the applicant's contention that Figs 5(a)-5(f) show various scene images from a character's perspective, Birdseye View, a radar image, etc. and purports the sequence of illustrations in Figs. 5(a)-5(f) are a panning sequence and are not individual scenes which are selectively produced based on the detected display position and motion of the character, the sequence of illustrations in Figs. 5(a)-5(f) are not just a panning sequence. These illustrations are individual scenes which are selectively produced based on the detected display position and motion of the character. This process is further described in col. 11, lines 48-col. 21, line 27.

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Furthermore, Goden et al. discloses it is not necessary for the camera viewpoint position to circle completely around the characters, but, for example, the display of the map 26 may halt in the area of viewpoint "5". The camera viewpoint position may follow points 1-6 in Fig. 4 in order, or it may follow them in reverse order, or alternatively, it may follow them in non-consecutive order. The camera viewpoint position may move continuously between these points, or it may move onto points 1-6 only. The camera viewpoint position may move within a vertical plane as shown in Fig. 4 or it may move within a horizontal plane. Moreover, the camera may pan by moving slowly left and right or up and down, or zoom, as in cinematic filming. In short, the screen display should be changed gradually to show information sources, such as maps, explanations, and diagrams, which are continuously required, without interrupting the game screen. In doing this, the surrounding scenery and the characters should be included in the display (Column 14, lines 25-42). Therefore, not only are the viewpoints individual screens, but are dynamically produced based on the detected display position and motion of the character (Column 14, line 25-Column 17, line 8).

The viewpoint movement control steps that Applicant refers to (col. 12, lines 36-39) only pertain to a player that is in **transition** from one stage of a game to another stage of a game, not during the actual "playing" of the game.

In response to Applicant's allegation to the patentability of independent claims 9, 21, 32, and all dependent claims Applicant's arguments amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. General allegations of patentability are not persuasive arguments.

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In response to Applicant's allegation that Goden et al. in view of Mukojima et al. fails to disclose producing different sound effects depending on which of the subjective and objective scene images is displayed as set forth in claim 21, the original rejection is retained.

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (703) 308-7133. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-1118. The fax phone

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numbers for the organization where this application or proceeding is assigned are (703) 305-3579 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1118.

Scott E. Jones
Examiner
Art Unit 3713

SEJ

sej
June 15, 2001

A handwritten signature in black ink, appearing to read "Michael O'Neill". The signature is fluid and cursive, with the first name "Michael" and last name "O'Neill" clearly distinguishable.

MICHAEL O'NEILL
PRIMARY EXAMINER